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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,427	12/03/2003	Shuichi Ezaki	117965	4777
25944 7:	590 12/14/2005		EXAM	INER
OLIFF & BERRIDGE, PLC			CHANG, CHING	
P.O. BOX 19928 ALEXANDRIA, VA 22320			ART UNIT	PAPER NUMBER
	,		3748	<u></u>

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		XX			
	Application No.	Applicant(s)			
	10/725,427	EZAKI ET AL.			
Office Action Summary	Examiner	Art Unit			
	Ching Chang	3748			
The MAILING DATE of this communication Period for Reply	appears on the cover sheet w	th the correspondence address			
A SHORTENED STATUTORY PERIOD FOR REWHICHEVER IS LONGER, FROM THE MAILING  - Extensions of time may be available under the provisions of 37 CF after SIX (6) MONTHS from the mailing date of this communication  - If NO period for reply is specified above, the maximum statutory period for reply within the set or extended period for reply will, by some Any reply received by the Office later than three months after the meaned patent term adjustment. See 37 CFR 1.704(b).	G DATE OF THIS COMMUNION R 1.136(a). In no event, however, may a r n. eriod will apply and will expire SIX (6) MON tatute, cause the application to become AE	CATION.  eply be timely filed  ITHS from the mailing date of this communication.  BANDONED (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed on <u>6</u>	<u>05/15/2005</u> .				
2a) This action is <b>FINAL</b> . 2b)	<u> </u>				
3) Since this application is in condition for all	owance except for formal matt	ers, prosecution as to the merits is			
closed in accordance with the practice und	ler <i>Ex parte Quayle</i> , 1935 C.D	. 11, 453 O.G. 213.			
Disposition of Claims					
4)⊠ Claim(s) <u>1-31</u> is/are pending in the applica	tion.				
4a) Of the above claim(s) is/are with	drawn from consideration.				
5) Claim(s) is/are allowed.					
6) Claim(s) is/are rejected.					
7) Claim(s) is/are objected to.					
8) Claim(s) <u>1-31</u> are subject to restriction and	l/or election requirement.				
Application Papers					
9)☐ The specification is objected to by the Exar	niner.				
10) The drawing(s) filed on is/are: a)	accepted or b) ☐ objected to	by the Examiner.			
Applicant may not request that any objection to	the drawing(s) be held in abeyar	ice. See 37 CFR 1.85(a).			
Replacement drawing sheet(s) including the co	•	· ·			
11) The oath or declaration is objected to by the	e Examiner. Note the attached	I Office Action or form PTO-152.			
Priority under 35 U.S.C. § 119					
12) Acknowledgment is made of a claim for fore a) All b) Some * c) None of:	eign priority under 35 U.S.C. §	119(a)-(d) or (f).			
<ol> <li>Certified copies of the priority document</li> </ol>	nents have been received.				
2. Certified copies of the priority docum		· · · · · · · · · · · · · · · · · · ·			
3. Copies of the certified copies of the	•	received in this National Stage			
application from the International Bu	, , , , , , , , , , , , , , , , , , , ,				
* See the attached detailed Office action for a	list of the certified copies flot	received.			
Attachment(s)					
Notice of References Cited (PTO-892)		Summary (PTO-413)			
<ul> <li>Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>Information Disclosure Statement(s) (PTO-1449 or PTO/SE</li> </ul>	, 3/08) 5) 🔲 Notice of Ir	s)/Mail Date  Iformal Patent Application (PTO-152)			
Paper No(s)/Mail Date	6) Other:	_·			

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## **DETAILED ACTION**

This Office acknowledges the status inquiry filed on 05/18/2005.

## Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention: the species of Fig. 1-17; the species of Figs. 18A-19C; the species of Figs. 20A-20C; and the species of Figs. 21-23.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 appears to be generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the

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case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ching Chang whose telephone number is (571)272-4857. The examiner can normally be reached on M-Th, 7:00 AM -5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Denion can be reached on (571)272-4859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent Examiner

Miny Mony

Ching Chang